

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSE LUIS ALVAREZ-GOMEZ,)
ID # 47850-177,)
) Movant,) No. 3:17-CV-2560-B (BH)
vs.)) No. 3:14-CR-037-B (1)
))
UNITED STATES OF AMERICA,) Respondent.)

**ORDER OF THE COURT ON RECOMMENDATION REGARDING
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL**

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

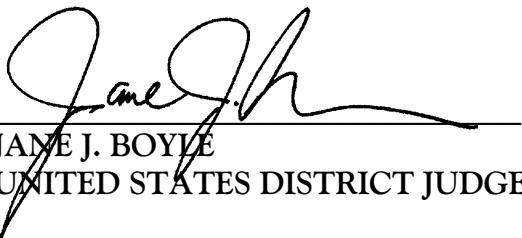
() The motion for leave to proceed *in forma pauperis* on appeal is GRANTED.

(X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:

(X) Movant is not a pauper. The Certificate of Inmate Trust Account shows that Movant has a current balance of \$2,900 and an average monthly balance of \$1,809. Movant has not shown that he has any demands on his financial resources or that he would suffer deprivation of the necessities of life if he pays the \$505.00 appellate filing fee. *See Crider v. Scott*, 50 F.3d 1033, 1033 (5th Cir. 1995) (per curiam).

Although this Court has denied leave to proceed *in forma pauperis* on appeal, Movant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SIGNED this 30th day of January, 2018.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE